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IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

United States District Court  
Southern District of Texas  
FILED

DEC 03 2003

LUIS ALEJANDRO GARZA,  
Plaintiff,

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v.

Civil Action No. B-02-154

UNITED STATES OF AMERICA,  
Defendant.

Michael N. Wilby  
Clerk of Court

**DEFENDANT'S NOTICE TO THE COURT OF ITS CONTINUED OPPOSITION TO  
PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

On October 14, 2003, the United States of America, Defendant herein, filed a response in opposition to the "Plaintiff's Motion for Leave to File First Amended Complaint" which was initially filed on September 22, 2003. Subsequent to the filing of the United States opposition response, this Court entered an order striking the "Plaintiff's Motion for Leave to File First Amended Complaint". Plaintiff then re-filed his "Plaintiff's Motion for Leave to File First Amended Complaint" on November 7, 2003.

By way of this Notice, the United States advises this Court that it still opposes the "Plaintiff's Motion for Leave to File First Amended Complaint" for the reasons set forth in its original opposition response that was filed on October 14, 2003.

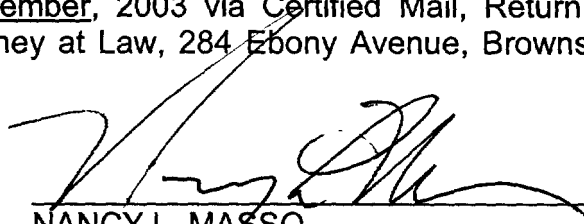
Respectfully submitted,

MICHAEL T. SHELBY  
United States Attorney

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Federal I.D. No. 10263

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the true and foregoing "Defendant's Notice of Continued Opposition to Plaintiff's Motion for Leave to File First Amended Complaint" was mailed on this the 3rd day of December, 2003 via Certified Mail, Return Receipt Requested to Barry R. Benton, Attorney at Law, 284 Ebony Avenue, Brownsville, TX 78520.

A handwritten signature in black ink, appearing to read "Nancy L. Masso", is written over a horizontal line.

NANCY L. MASSO  
Assistant United States Attorney